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By Tarrell L. Littleton on Nov 09, 2009

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

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UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Oct 22, 2009

FILED
CLERK'S OFFICE

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: WHOLESALE GROCERY PRODUCTS
ANTITRUST LITIGATION

Blue Goose Super Market, Inc. v. C&S Wholesale)
Grocers, Inc., et al., N.D. Illinois,)
C.A. No. 1:09-5910)

MDL No. 2090

CONDITIONAL TRANSFER ORDER (CTO-1)

On October 16, 2009, the Panel transferred one civil action to the United States District Court for the District of Minnesota for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* ___ F.Supp.2d ___ (J.P.M.L. 2009). With the consent of that court, all such actions have been assigned to the Honorable Ann D. Montgomery.

It appears that the action on this conditional transfer order involves questions of fact that are common to the actions previously transferred to the District of Minnesota and assigned to Judge Montgomery.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the District of Minnesota for the reasons stated in the order of October 16, 2009, and, with the consent of that court, assigned to the Honorable Ann D. Montgomery.


This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Minnesota. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Nov 09, 2009

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel